

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	98 C 699	DATE	10/17/2001
CASE TITLE	Kenneth Bockwoldt, Jr. Vs. Officer Daniel J. Cheney		


[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

Memorandum Opinion and Order

DOCKET ENTRY:

- (1) ☐ Filed motion of [use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due _____.
- (3) ☐ Answer brief to motion due _____. Reply to answer brief due _____.
- (4) ☐ Ruling/Hearing on _____ set for _____ at _____.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
- (7) ☐ Trial[set for/re-set for] on _____ at _____.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to _____ at _____.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Opinion and Order. Plaintiff has moved for a new trial, for judgment notwithstanding the verdict, and additional time for supporting memorandum. With one exception we deny the motions for a new trial or for judgment. While we note that plaintiff raised no objection at the time, we think he is at least entitled to support his position with a memorandum. That should be filed by October 30, 2001. Defendant may respond by November 9, 2001.
- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court.	<div style="text-align: center;">  OCT 18 2001 date docketed cm docketing deputy initials OCT 17 PM 2:20 date mailed notice </div>	<div style="text-align: center;"> Document Number 53 </div>	
<input type="checkbox"/> No notices required.			
<input type="checkbox"/> Notices mailed by judge's staff.			
<input type="checkbox"/> Notified counsel by telephone.			
<input checked="" type="checkbox"/> Docketing to mail notices.			
<input type="checkbox"/> Mail AO 450 form.			
<input type="checkbox"/> Copy to judge/magistrate judge.	<div style="text-align: center;"> WAH courtroom deputy's initials </div>	<div style="text-align: center;"> Date/time received in central Clerk's Office </div>	<div style="text-align: center;"> mailing deputy initials </div>

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED
OCT 18 2001

KENNETH BOCKWOLDT, JR.,

Plaintiff,

vs.

OFFICER DANIEL J. CHENEY,
individually,

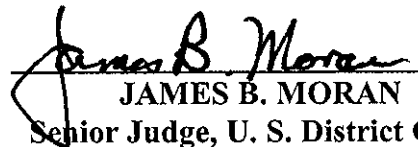
Defendant.

No. 98 C 699

MEMORANDUM OPINION AND ORDER

Plaintiff has moved for a new trial, for judgment notwithstanding the verdict (now judgment as a matter of law; *see* Fed.R.Civ.P. 50), and additional time for supporting memorandum. With one exception we deny the motions for a new trial or for judgment. Defendant's expert provided an ample basis for the verdict. We are troubled, however, by the remark the court made prior to repeating a jury instruction to the jury. While we note that plaintiff raised no objection at the time, we think he is at least entitled to support his position with a memorandum. That should be filed by October 30, 2001. Defendant may respond by November 9, 2001.

Oct. 17, 2001.


JAMES B. MORAN
Senior Judge, U. S. District Court